

Docket No. 20176-1

PATENT

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**In The United States Patent And Trademark Office**

re: Wilhoit, et al.  
Appl. No.: 09/380,222  
Filed: August 26, 1999  
For: THERMOPLASTIC C<sub>2</sub>- $\alpha$ -OLEFIN  
COPOLYMER BLENDS AND FILMS

Group Art Unit: 1773  
Examiner: D. Nakarani

March 27, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(b)**

Sir:

Curwood, Inc., having a principal place of business at 2200 Badger Avenue, Oshkosh, Wisconsin 54904, verifies through its duly authorized representative that it is the owner of all right, title, and interest in the above-identified application, by Assignment filed September 25, 2000 and recorded at Reel 011137, Frame 0055 from the previous assignee whose assignment of the entire right, title and interest from the inventors was filed August 26, 1999 and recorded at Reel 010315, Frame 0660 and whose entire right, title and interest from the inventors in the parent application was filed June 27, 1997 and recorded at Reel 8586, Frame 0133.

The owner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of United States Patent No. 5,928,740, issued July 27, 1999, entitled *Thermoplastic C<sub>2</sub>  $\alpha$ -Olefin Copolymer Blends and Films*, the entire right, title and interest of which patent was assigned to the above-identified owner by an Assignment filed September 25, 2000, and recorded at Reel 011137, Frame 0055 from the previous assignee whose assignment of the entire right, title and interest from the inventors was filed June 27, 1997 and recorded at Reel 8586, Frame 0133.

The owner further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,928,740, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory

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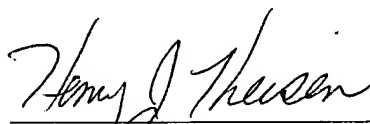
term of U.S. Patent No. 5,928,740 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, Henry J. Theisen, represent that I am the President of Curwood, Inc. and am authorized to execute this disclaimer on behalf of Curwood, Inc. I further declare that the evidentiary documents of ownership have been reviewed, and I certify that to the best of my knowledge and belief, title is in the owner seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

CURWOOD, INC.

Dated: March 27, 2002

  
By: Henry J. Theisen  
Its: President